

**SUPREME COURT MINUTES  
WEDNESDAY, APRIL 15, 1998  
SAN FRANCISCO, CALIFORNIA**

S067779 People, Respondent

1st Dist. v.

A076392 Josiah Cheston Barra et al., Appellants

Div. 1 Petition for review of appellant Johnny Barra GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Jefferson*, S057834 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

Petition for review of appellant Josiah Barra DENIED.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S068095 Allyn Beth Landau, Petitioner

1st Dist. v.

A075251 San Francisco County Superior Court, Respondent

A075493 Medical Board of California, Real Party in Interest

Div. 2 And Companion Case

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Leone v. Medical Board*, S065485 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S068112      People, Respondent  
2nd Dist.      v.  
B109817      Donald Dwayne Franklin, Appellant  
Div. 7      Appellant's petition for review GRANTED.

Kennard, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S068162      People, Respondent  
2nd Dist.      v.  
B104672      Danny Duarte, Appellant  
Div. 6      Respondent's petition for review GRANTED.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.

S068191      People, Respondent  
3rd Dist.      v.  
C025528      Rafael Becerra Bacerra, Appellant  
Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Soto*, S044043 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S068325 Barry Erlich et al., Respondents  
2nd Dist. v.  
B105675 John Menezes, Appellant  
Div. 6 Ron Rebaldo et al., Respondents  
Appellant's petition for review GRANTED.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

1st Dist. Anti-Defamation League of B’Nai B’Rith et al., Petitioners  
A080694 v.  
Div. 2 San Francisco County Superior Court, Respondent  
S067675 Audrey Shabbas et al., Real Parties in Interest  
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its order denying mandate and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.

S063364 In re Estate of Evelyn J. Condon, Deceased

1st Dist. -----

A074636 Michael R. Condon et al., Appellants

Div. 2 v.

Caroline M. McHenry, Respondent

The above-entitled review is hereby transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *Birbrower, Montalbano, Condon & Frank v. Superior Court* (1998) 17 Cal.4th 119.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S063658 People, Respondent

5th Dist. v.

F025304 Don Victor Harbolt, Appellant

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fifth Appellate District.

The Court of Appeal opinion is to remain published.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S068284 People, Respondent

6th Dist. v.

H016098 Alvia Casteel, Appellant

The court having been advised by petitioner's counsel that appellant died on January 12, 1998, the petition for review is granted and the cause is transferred to the Court of Appeal, Sixth Appellate District, with directions to enter an order permanently abating all proceedings with respect to this petitioner upon verification of the death. (Rule 29.4(e), Cal. Rules of Court; *People v Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal. App.2d 458, 466.)

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S007210 People, Respondent

v.

William Michael Dennis, Appellant

Petition for rehearing DENIED.

S066434 Palm Springs Mobilehome Properties, Petitioner

v.

Public Utilities Commission, Respondent

Richard L. Steiner, Real Party in Interest

Petition for writ of review DENIED.

Baxter, J., did not participate.

S068452 Jerrold Davis, Petitioner

v.

Court of Appeal, Second Apl. District Div. One, Respondent

Funrise Inc. et al., Real Parties in Interest

Petition for writ of mandate DENIED.

S068815      Howard Hershops, Petitioner

v.

San Francisco County Superior Court, Respondent

Bank of the West and Chexsystems Inc., Real Party in Interest

Petition for writ of mandate DENIED.

S068892      B. E. Smith, Petitioner

v.

Dero B. Forslund (Clerk-Registrar of Trinity Co.), Respondent

Petition for writ of mandate DENIED.

S056400      In re Conrad Jess Zapien

on

Habeas Corpus

Petition for writ of habeas corpus DENIED.

With the exception of claims XVI, XVII, XVIII, and XX all claims are denied as untimely. They are based on information that was long known or should have been known to petitioner or his counsel. No sufficient justification has been offered to explain the delay, and no fundamental miscarriage of justice has been demonstrated to excuse it. (See Supreme Court Policies Regarding Cases Arising From Judgments of Death, std. 1-1.2; *In re Clark* (1993) 5 Cal.4th 750, 783-787 [delay rules], 797-798 [exceptions].)

The following claims also are denied on the ground that they were raised and rejected on appeal, and they do not come within any of the four exceptions that would permit their reconsideration on habeas corpus: I (with the exception of the claim of ineffective assistance of trial counsel) and XII. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Harris* (1993) 5 Cal.4th 813, 829-841 [exceptions to *Waltreus* and related bars].)

The following claims also are denied on the ground that they could have been, but were not, raised on appeal, and they do not come within any of the four exceptions that would permit their consideration on habeas corpus: VII (with the exception of the claim of ineffective assistance of trial counsel), VIII, IX, X, XI, XIII, XV, and XIX. (*In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Harris, supra*, 5 Cal.4th 813, 825, fn. 3, & pp. 829-841 [exceptions to *Waltreus* and related bars].) All claims also are denied on the merits. (See *Harris v. Reed* (1989) 489 U.S. 255, 264, fn. 10.)

Brown, J., is of the opinion the petition should be denied solely on the merits.

Orders were filed in the following matters denying petition for writ of habeas corpus:

S061489 - In re Barry S. Jameson on Habeas Corpus.

S061756 - In re Omer H. Gallion on Habeas Corpus.

S062320 - In re John Calvin Calhoun on Habeas Corpus. Petition for writ of habeas corpus is DENIED. Kennard, J., is of the opinion an order to show cause should issue.

S063464 - In re Anthony Gaston on Habeas Corpus.

S064663 - In re Ramon Cruz on Habeas Corpus.

S068058 - In re Douglas Wayne Carlisle on Habeas Corpus.

1st Dist. People, Respondent  
A073705 v.  
A078225 Franz Roland Ray, Appellant  
Div. 3 -----  
S068071 In re Franz Roland Ray on Habeas Corpus  
Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A074750 v.  
Div. 3 Clyde Tommy Denney, Appellant  
S067545 Appellant's petition for review DENIED.

1st Dist. Alice Ching et al., Petitioners  
A074816 v.  
Div. 3 San Francisco Board of Permit Appeals, Respondent  
S067989 Harch Investment Corporation, Real Party in Interest  
Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

1st Dist. People, Respondent  
A075364 v.  
Div. 3 Mautu Maea, Jr., Appellant  
S068065 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A075728 v.  
Div. 2 Paul Oliver Roseman, Appellant  
S067778 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A075908 v.  
Div. 2 Rick Joseph Lilly, Appellant  
S068487 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A076358 v.  
Div. 3 Vincent James Biagas, Appellant  
S067801 Appellant's petition for review DENIED.

1st Dist. In re Arturo D., Persons Coming Under the Juvenile Court Law  
A076682 -----  
Div. 4 Department of Social Services, Respondent  
S068552 v.  
Brenda C., Appellant  
Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A076706 v.  
Div. 4 Hieu Chi Ly, Appellant  
S068070 Appellant's petition for review DENIED.

1st Dist. Ghanshyam Patel et al., Appellants  
A076928 v.  
Div. 4 City of Fairfield et al., Respondents  
S068394 Appellants' petition for review DENIED.

1st Dist. People, Respondent  
A076951 v.  
Div. 5 Derrick Glenn Howard, Appellant  
S067528 Appellant's petition for review DENIED.



1st Dist. People, Respondent  
A077131 v.  
Div. 4 Steven Knotts, Appellant  
S068288 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A077540 v.  
Div. 5 Randy Wayne Abenth, Appellant  
S068078 Appellant's petition for review DENIED.

1st Dist. Steve Aronovsky, Appellant  
A077704 v.  
Div. 5 Jay N. Nguyen, Respondent  
S068476 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A077796 v.  
Div. 1 Douglas Wayne Carlisle, Appellant  
S067843 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A077797 v.  
Div. 4 Gary Thomas Ramsey, Appellant  
S068290 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A077983 v.  
Div. 3 Hulen Harrell, Appellant  
S068437 Appellant's petition for review DENIED.

1st Dist. Ali Sheikhzadeh, Appellant  
A078482 v.  
Div. 4 Bruce Palmer Hotaling, Respondent  
S068313 Appellant's petition for review DENIED.

1st Dist. People, Respondent  
A078888 v.  
Div. 1 Peter Green, Appellant  
S068545 Appellant's petition for review DENIED.

1st Dist.      The Housing Group, Petitioner  
A080446      v.  
Div. 4      Solano County Superior Court, Respondent  
S068328      Design Professionals Insurance Company et al.,  
Real Parties in Interest  
Petition for review DENIED.

1st Dist.      Ronda S., Petitioner  
A080507      v.  
A079644      Marin County Superior Court, Respondent  
Div. 4      Marin County Department of Social Services, Real Party in Interest  
S068322      Petition for review DENIED.

1st Dist.      Lucky Stores Inc., Petitioner  
A080579      v.  
Div. 3      Solano County Superior Court, Respondent  
S068275      Mayr Dawna Ane' Davis, Real Party in Interest  
Petition for review DENIED.

1st Dist.      New United Motor Manufacturing Inc., Petitioner  
A081323      v.  
Div. 5      Alameda County Superior Court, Respondent  
S068094      Joyce Corrigan et al., Real Parties in Interest  
Application for stay and petition for review DENIED.

1st Dist.      Giles Albert Nadey, Jr., Petitioner  
A082036      v.  
Div. 5      Alameda County Superior Court, Respondent  
S069093      Don Ferminick et al., Real Parties in Interest  
Application for stay and petition for review DENIED.

2nd Dist.      Theodore Rapolla et al., Appellants  
B090236      v.  
Div. 1      St. Joseph Medical Center et al., Respondents  
S068247      Appellants' petition for review DENIED.

2nd Dist. Dunn-Edwards Corporation et al., Appellants  
B090785 v.  
Div. 3 South Coast Air Quality Management District et al., Respondents  
S068096 Appellants' petition for review DENIED.  
The requests for an order directing publication of the opinion are  
DENIED.  
Chin, J., did not participate.

2nd Dist. Joseph L. Shalant et al., Appellants  
B092277 v.  
B100242 F.S.B. Household Bank et al., Appellants  
Div. 2 And Companion Case  
S067704 Petition for review DENIED.

2nd Dist. People, Respondent  
B098107 v.  
Div. 2 Esvin Eduardo Aparicio, Appellant  
S068346 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B099858 v.  
Div. 1 Robert Charles Maalea, Appellant  
S068345 Appellant's petition for review DENIED.

2nd Dist. David T. L. Chuang, Appellant  
B099883 v.  
Div. 4 Maynard Hal Garber, Respondent  
S068585 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B100076 v.  
Div. 7 Paul Apollo Gornick, Appellant  
S068224 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B100134 v.  
Div. 5 Ernest Byas, Appellant  
S067950 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B100283 v.  
Div. 7 Adolph Torres et al., Appellants  
S068092 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B100904 v.  
Div. 5 Martin Earl Dawson, Appellant  
S067921 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B101644 v.  
Div. 5 Jose Soto, Appellant  
S067703 Petitions for review DENIED.

2nd Dist. Thomas Jeffrey Maxwell, Appellant  
B101733 v.  
Div. 1 Farmers Insurance Exchange et al., Respondents  
S068235 Petition for review DENIED.  
The request for an order directing depublication of the opinion is  
DENIED.

2nd Dist. People, Respondent  
B101799 v.  
Div. 2 David A. Roe, Appellant  
S067634 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B103200 v.  
Div. 4 James Michael Hollis, Appellant  
S068496 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B103316 v.  
Div. 2 Vicente Garcia et al., Appellants  
S067695 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent  
B104605 v.  
Div. 1 Drew Alexander Harris, Appellant  
S068470 Appellant's petition for review DENIED.

2nd Dist. B105031 Div. 5 S068375	Cindylou Prince-Herbert, Respondent v. Peter H. Friedman, Appellant Appellant's petition for review DENIED.
2nd Dist. B105311 Div. 7 S068548	Mike D. Lee et al., Appellants v. Downey Savings and Loan Association, Respondent Petition for review DENIED.
2nd Dist. B105315 Div. 1 S068031	People, Respondent v. Tyrone Jones et al., Appellants Appellants' petition for review DENIED.
2nd Dist. B105413 Div. 5 S067740	People, Respondent v. Carlos Chevalier, Appellant Appellant's petition for review DENIED.
2nd Dist. B105715 Div. 7 S068227	In re Zana Simone P., a Minor ----- David S. et al., Respondents v. Jana L., Appellant Appellant's petition for review DENIED. The request for an order directing publication of the opinion is DENIED.
2nd Dist. B105839 Div. 5 S067628	People, Respondent v. Robert E. Winters, Appellant Appellant's petition for review DENIED.
2nd Dist. B105840 Div. 2 S068384	First Fidelity Thrift & Loan Association, Appellant v. Alliance Bank, Respondent Appellant's petition for review DENIED.

2nd Dist. Nationwide Business Telephones, Appellant  
B105901 v.  
Div. 2 Pacific Bell et al., Respondents  
S068574 Appellant's petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.  
Werdegarr, J., did not participate.

2nd Dist. People, Respondent  
B105946 v.  
Div. 5 Jose Angel Arreola, Appellant  
S067896 Appellant's petition for review DENIED.

2nd Dist. Shereen Loth, Respondent  
B106209 v.  
Div. 1 Truck-A-Way Corporation et al., Appellants  
S067960 Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.  
Motion to strike reply brief denied.

2nd Dist. People, Respondent  
B106256 v.  
Div. 2 Lent Newman King et al., Appellants  
S067892 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent  
B106371 v.  
Div. 5 Anthony Freddie Vasquez et al., Appellants  
S068258 Appellants' petitions for review DENIED.

2nd Dist. People, Respondent  
B106712 v.  
Div. 4 Gregory Trujillo, Appellant  
S068482 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B106744 v.  
Div. 7 Damon Smith, Appellant  
S068478 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B107021 v.  
Div. 4 Osbaldo Bretado, Appellant  
S068417 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B107095 v.  
Div. 5 Eduardo Aceves, Appellant  
S068381 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B107159 v.  
Div. 2 Felix Quesada Martinez, Appellant  
S067690 Appellant's petition for review DENIED.

2nd Dist. Edward G. Cook et al., Appellants  
B107441 v.  
Div. 7 Meserve Mumper & Hughes et al., Respondents  
S068243 Appellants' petition for review DENIED.

2nd Dist. People, Respondent  
B107761 v.  
Div. 4 Anthony Smith, Appellant  
S068309 Appellant's petition for review DENIED.

2nd Dist. Belfa Kay Montgomery, Appellant  
B107899 v.  
Div. 1 Cal Accountants Mutual Insurance Company, Respondent  
S068297 Petition for review DENIED.

2nd Dist. People, Respondent  
B108060 v.  
Div. 4 Mario Rubi, Appellant  
S068369 Petition for review DENIED.

2nd Dist. People, Respondent  
B108284 v.  
Div. 7 Tracy C. Ross, Appellant  
S068332 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108301 v.  
Div. 5 James William Richardson, Appellant  
S068439 Appellant's petition for review DENIED.

2nd Dist. In re Domitilo A., a Person Coming Under the Juvenile Court Law  
B108670 -----  
Div. 7 People, Respondent  
S068292 v.  
Domitilo A., Appellant  
Petition for review DENIED.

2nd Dist. People, Respondent  
B108832 v.  
Div. 6 Darl Rodney Ashley, Appellant  
S068363 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108853 v.  
Div. 1 Rodney Darnell Owens, Appellant  
S068551 Petition for review DENIED.

2nd Dist. People, Respondent  
B108993 v.  
Div. 6 Alexander Montoya, Appellant  
S067502 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B108999 v.  
Div. 7 Charles Hayes, Appellant  
S068190 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109040 v.  
Div. 7 Robert Zamudio, Appellant  
S068460 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109694 v.  
Div. 1 Lawrence Eugene Gomes, Appellant  
S068380 Appellant's petitions for review DENIED.



2nd Dist. People, Respondent  
B109741 v.  
Div. 7 Kelvin Allen, Appellant  
S068449 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109766 v.  
Div. 2 Daniel Ernest Soltero, Appellant  
S067744 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B109854 v.  
Div. 7 Ryan Todd Hammer et al., Appellants  
S068203 Appellants' petitions for review DENIED.

2nd Dist. In re Joseph Hunt  
B110428 on  
Div. 5 Habeas Corpus  
S067504 Petition for review DENIED.

2nd Dist. In re Christopher T., a Person Coming Under the Juvenile Court Law  
B110930 -----  
Div. 5 Los Angeles County Dept. of Children & Family Svcs., Respondent  
S068303 v.  
Lisa A., Appellant  
Petition for review DENIED.

2nd Dist. People, Respondent  
B110976 v.  
Div. 2 Clarence Madison, Appellant  
S068424 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111017 v.  
Div. 2 Jose Angel Valenzuela, Appellant  
S068553 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111030 v.  
Div. 1 Ronnie E. Barrow, Appellant  
S068033 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111033 v.  
Div. 7 Tommy David Boyden, Appellant  
S068392 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111203 v.  
Div. 5 William Julius Guilford, Appellant  
S068338 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B111226 v.  
Div. 5 Jorge M. Rivera, Appellant  
S068118 Appellant's petition for review DENIED.

2nd Dist. Alfred W. Murphy, Appellant  
B111758 v.  
Div. 6 County of San Luis Obispo et al., Respondents  
S068024 Appellant's petition for review DENIED.

2nd Dist. People, Respondent  
B112017 v.  
Div. 1 Hugo Vargas Garcia, Appellant  
S068356 Appellant's petition for review DENIED.

2nd Dist. In re Regina V., a Person Coming Under the Juvenile Court Law  
B112092 -----  
Div. 4 Los Angeles Co. Dept. of Children & Family Service, Respondent  
S068658 v.  
Claudio V., Appellant  
Appellant's petition for review DENIED.

2nd Dist. County of Ventura, Respondent  
B112124 v.  
Div. 6 Ventura County Employees Bd. of Retirement, Real Party in Interest  
S068442 Carol Brewer, Real Party in Interest  
Petition for review DENIED.

2nd Dist. People, Respondent  
B112793 v.  
Div. 4 Oree Manning, Appellant  
S068339 Appellant's petition for review DENIED.

2nd Dist. Shea-Kiewit-Kenny, Appellant  
B114280 v.  
Div. 5 Los Angeles County Metropolitan Transportation, Respondent  
S068537 Appellant's petition for review DENIED.

2nd Dist. Robert Bohanan, Petitioner  
B117499 v.  
Div. 5 Workers' Compensation Appeals Board, Respondent  
S068531 Biz & Associates, Respondent  
Petition for review DENIED.

2nd Dist. Blue Cross of California, Petitioner  
B117629 v.  
Div. 3 Workers' Compensation Appeals Board, Respondent  
S067985 Ken Bauer, Real Party in Interest  
Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted and  
the matter transferred to the Court of Appeal.

2nd Dist. Rushenda Thompson, Petitioner  
B118034 v.  
Div. 2 Workers' Compensation Appeals Board, Respondent  
S068318 City of Long Beach, Respondent  
Petition for review DENIED.

2nd Dist. Larry Moore, Petitioner  
B118178 v.  
Div. 2 Los Angeles County Superior Court, Respondent  
S068430 Edward Murphy, Real Party in Interest  
Petition for review DENIED.

2nd Dist. California Casualty Insurance Company, Petitioner  
B119250 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S068513 Juan Francisco Chicas, Real Party in Interest  
Petition for review DENIED.

- 2nd Dist. Metropolitan News Company, Petitioner  
B119440 v.  
Div. 6 Los Angeles County Superior Court, Respondent  
S068389 Charles T. Munger Daily Journal Corporation et al.,  
Real Parties in Interest  
Petition for review DENIED.
- 2nd Dist. Thomas Marvin, Petitioner  
B119481 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S068475 Bank of America, Respondent  
Petition for review DENIED.
- 2nd Dist. In re Israel Oren Zawe  
B119512 on  
Div. 2 Habeas Corpus  
S068579 Petition for review DENIED.
- 2nd Dist. Ming Ching Jin, Petitioner  
B119528 v.  
Div. 3 Los Angeles County Superior Court, Respondent  
S068457 People, Real Party in Interest  
Application for stay and petition for review DENIED.
- 2nd Dist. Tom Lallas, Petitioner  
B119571 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S068502 LaFollette Johnson Dehaas Fesler & Ames, Real Party in Interest  
Petition for review DENIED.
- 2nd Dist. Girish Naranbhai Patel, et al., Petitioners  
B119942 v.  
Div. 1 Jay R. Stroh et al., Respondents  
S068812 Application for stay and petition for review DENIED.
- 2nd Dist. Howard Jarvis Taxpayers Association et al., Petitioners  
B120166 v.  
Div. 7 Los Angeles County Superior Court, Respondent  
S069018 Paul McCauley, Real Party in Interest  
Application for stay and petition for review DENIED.  
George, C.J., and Chin, J., did not participate.

3rd Dist. Hossam Buzgheia, Respondent  
C017627 v.  
S067776 Leaseco Sierra Grove et al., Appellants  
Petition for review DENIED.  
Baxter, J., is of the opinion the petition should be granted.

3rd Dist. Peter F. Schabarum, Appellant  
C020336 v.  
S068120 California Legislature et al., Respondents  
Legislative Counsel Bureau, Respondent  
Petition for review DENIED.  
Chin, J., and Baxter, J., are of the opinion the petition should be granted.

3rd Dist. People, Respondent  
C020653 v.  
S068493 Kerry Lemonte Rodgers, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C022858 v.  
S067962 Joseph Samuel Fahlgren, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C022890 v.  
S068317 Glen Michael Holliday, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C022988 v.  
S067863 Vernis Ray Davison, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C023020 v.  
S068029 Rafael Jimenez, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C023464 v.  
S067664 Peter Joseph Rose, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C023595 v.  
S068323 Jerry Thomas Criado, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C023966 v.  
S067845 Robert Anthony Drayton et al., Appellants  
Appellants' petitions for review DENIED.

3rd Dist. People, Respondent  
C024036 v.  
S068296 James Albert Parvin III, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C024141 v.  
S067732 Randall A. Sorensen, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C024202 v.  
S068554 Enrique Gonzales Hernandez, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C024462 v.  
S067990 Laurence Edwin Harris, Appellant  
Respondent's petition for review DENIED.

3rd Dist. People, Respondent  
C024675 v.  
S067974 William Deon Proby, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C024688 v.  
S068378 Daniel Joseph Wangen, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025068 v.  
S068444 Bennie James Wafer, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Michael Long et al., Respondents  
C025126 v.  
S067995 Cuttle Construction Company, Appellant  
Respondent's petition for review DENIED.

3rd Dist. People, Respondent  
C025583 v.  
S068538 Michael Gramata, an alternative writ  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025600 v.  
S068291 Anthony Angelo Arceo, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025619 v.  
S068495 David Bernard Blanks, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C025715 v.  
S068366 Trent Austin Hillman, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Stockton Mortgage Inc., Respondent  
C025745 v.  
S068463 Antoinette M. Dee et al., Appellants  
Petition for review DENIED.

3rd Dist. Ken Brown et al., Appellants  
C025823 v.  
S068581 Edwin B. Jones et al., Respondents  
Respondents' petition for review DENIED.

3rd Dist. People, Respondent  
C025922 v.  
S068443 Jeannette Marie Turner, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026048 v.  
S067970 John Kennedy Duran, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026081 v.  
S068305 Arnealious Cortez Bradford, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026384 v.  
S068364 Raul Gomez Garcia, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026409 v.  
S067782 Kenneth Ray Ewing, Appellant  
Appellant's petition for review DENIED.

3rd Dist. People, Respondent  
C026733 v.  
S068354 Donald James Ross, Appellant  
Appellant's petition for review DENIED.

3rd Dist. Cindie Lee Durbin, an alternative writ  
C027674 v.  
S068011 USAA Group et al., Respondents  
Appellant's petition for review DENIED.



3rd Dist. Paul E., Petitioner  
C027884 v.  
S067900 Placer County Superior Court, Respondent  
Placer County Dept. of Health and Human Resources et al.,  
Real Parties in Interest  
Petition for review DENIED.

3rd Dist. Fred Hicks, Petitioner  
C028250 v.  
S068580 Workers' Compensation Appeals Board, Respondent  
Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted and  
the matter transferred to the Court of Appeal.

3rd Dist. Rosetta Meyers, Petitioner  
C028427 v.  
S068577 Workers' Compensation Appeals Board et al., Respondents  
Petition for review DENIED.

3rd Dist. Fireman's Fund Insurance Company, Petitioner  
C028437 v.  
S068144 Sacramento County Superior Court, Respondent  
Lustre-Cal Nameplate Corporation, Real Party in Interest  
Petition for review DENIED.

3rd Dist. Fireman's Fund Insurance Company, Petitioner  
C028438 v.  
S068148 Sacramento County Superior Court, Respondent  
Guild Cleaners Inc., Real Party in Interest  
Petition for review DENIED.

3rd Dist. Peter Kiewit Sons' Inc., Petitioner  
C028469 v.  
S068400 Workers' Compensation Appeals Board et al., Respondents  
Petition for review DENIED.

4th Dist. Mark W. Ike et al., Appellants  
D026752 v.  
Div. 1 Doolittle, Respondent  
S068504 Appellant's petition for review DENIED.

4th Dist. D027174 Div. 1 S067604	In re Dawes Family Trust ----- Stuart E. Dawes et al., Respondents v. Irving J. Rich et al., Appellants Petition for review DENIED.
4th Dist. D023083 Div. 1 S068602	Konrad Leak et al., Respondents v. Elisabeth Kinreich, Appellant Roger Kindreich, Appellant Appellants' petition for review DENIED.
4th Dist. D024219 Div. 1 S068353	Marilyn Hayes, Appellant v. Palomar Pomerado Health System, Respondent Appellant's petition for review DENIED.
4th Dist. D026814 Div. 1 S068299	In re Thomas C., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Thomas C., Appellant Appellant's petition for review DENIED.
4th Dist. D026836 Div. 1 S068646	People, Respondent v. Bernard Lee Hamilton, Appellant Appellant's petition for review DENIED.
4th Dist. D026871 Div. 1 S068420	People, Respondent v. Roberto Sotelo, Jr., Appellant Appellant's petition for review DENIED.
4th Dist. D026886 Div. 1 S068382	People, Respondent v. Ramon Suazo Ramirez, Appellant Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D026939 v.  
Div. 1 Dominique Whitaker, Appellant  
S068485 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
D028785 v.  
Div. 1 Alan Dale Blue, Appellant  
S068416 Appellant's petition for review DENIED.

4th Dist. People, Appellant  
D028904 v.  
D028989 James Dennis Wardlow et al., Respondents  
D029008 And Companion Case  
Div. 1 Petition for review DENIED.  
S068472

4th Dist. Lorene Marks-Foreman, Petitioner  
D029441 v.  
Div. 1 San Diego County Superior Court, Respondent  
S065756 Rickie Hester, Real Party in Interest  
Petition for review DENIED.  
Due to clerical error, this order is entered nunc pro tunc as of  
December 9, 1997.

4th Dist. Deepak Chopra, Petitioner  
D030430 v.  
Div. 1 San Diego County Superior Court, Respondent  
S068455 Joyce Weaver, Real Party in Interest  
Application for stay and petition for review DENIED.

4th Dist. Michael J. Flynn et al., Petitioners  
D030431 v.  
Div. 1 San Diego County Superior Court, Respondent  
S068462 Jona Bolling et al., Respondents  
Application for stay and petition for review DENIED.

4th Dist. Deepak Chopra et al., Petitioners  
D030432 v.  
Div. 1 San Diego County Superior Court, Respondent  
S068464 Joyce Weaver et al., Real Parties in Interest  
Application for stay and petition for review DENIED.

4th Dist. Deepak Chopra, Petitioner  
D030434 v.  
Div. 1 San Diego County Superior Court, Respondent  
S068474 Dennis Schoville et al., Respondents  
Application for stay and petition for review DENIED.

4th Dist. Ernesto C. Pallares et al., Appellants  
E014980 v.  
E015274 General Motors Corporation, Respondent  
E015770 And Companion Case  
Div. 2 Appellants' petition for review DENIED.  
S068193

4th Dist. People, Respondent  
E017408 v.  
E018193 Carl Jeff Ewell, Appellant  
Div. 2 Appellant's petitions for review DENIED.  
S067977

4th Dist. People, Respondent  
E018412 v.  
Div. 2 Robert Alan Hecker, Appellant  
S068635 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
E018872 v.  
Div. 2 Alfredo Aniesto Flores, Appellant  
S067973 Appellant's petition for review DENIED.

4th Dist. Terry Lee Harris, Appellant  
E018932 v.  
Div. 2 John M. King et al., Respondents  
S068208 Appellant's petition for review DENIED.

4th Dist. E019186 Div. 2 S068017	People, Respondent v. Mark Anthony Cline, Appellant Appellant's petition for review DENIED. Brown, J., is of the opinion the petition should be granted.
4th Dist. E019257 Div. 2 S068550	People, Respondent v. Daniel Stanley Saitta, Appellant Appellant's petition for review DENIED.
4th Dist. E019406 E020895 Div. 2 S067735	In re Gary Martin Lutz on Habeas Corpus ----- People, Respondent v. Gary Lutz, Appellant Appellant's petition for review DENIED.
4th Dist. E019733 Div. 2 S068301	People, Respondent v. James Walter Shaw, Appellant Appellant's petition for review DENIED.
4th Dist. E020071 Div. 2 S068020	People, Respondent v. Michael Steven Rhynes, Appellant Appellant's petition for review DENIED.
4th Dist. E020148 Div. 2 S068427	People, Respondent v. Conrad Granados, Appellant Appellant's petition for review DENIED.
4th Dist. E020451 Div. 2 S068314	In re Chelsea D., a Person Coming Under the Juvenile Court Law ----- San Bernardino County Dept. Public Social Services, Respondent v. Charles D., Appellant Petition for review DENIED.

4th Dist. Robert L. Harkins, Petitioner  
E022094 v.  
Div. 2 Riverside County Superior Court, Respondent  
S068572 People, Real Party in Interest  
Petition for review DENIED.

4th Dist. Charles Milden, Appellant  
G015971 v.  
Div. 3 State of the Art Incorporated et al., Respondents  
S068393 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G017385 v.  
Div. 3 Ricky Gallardo Valadez, Appellant  
S068419 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G018244 v.  
Div. 3 Phi Hieu Luu et al., Appellants  
S067471 Appellants' petitions for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

4th Dist. People, Respondent  
G018588 v.  
Div. 3 Anthony Carter, Appellant  
S067697 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G019149 v.  
Div. 3 Claudette Marie Shelton, Appellant  
S067946 Appellant's petition for review DENIED.

4th Dist. Warsaw Family Trust etc., et al., Appellants  
G019349 v.  
Div. 3 Sun Life Assurance Company of Canada (U.S.) et al., Respondents  
S068525 Appellants' petition for review DENIED.  
The request for an order directing publication of the opinion is  
DENIED.

4th Dist. People, Respondent  
G019408 v.  
Div. 3 Gustavo Bustos Chavez, Appellant  
S067584 Appellant's petition for review DENIED.

4th Dist. People, Appellant  
G019587 v.  
Div. 3 Silvio Ortero Sanchez, Respondent  
S068177 Respondent's petition for review DENIED.  
Brown, J., is of the opinion the petition should be granted.

4th Dist. People, Respondent  
G019696 v.  
Div. 3 Kenneth Romero Reyna, Appellant  
S068397 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G019837 v.  
Div. 3 Anthony Geran Shaw, Appellant  
S068489 Appellant's petition for review DENIED.

4th Dist. People, Respondent  
G020258 v.  
Div. 3 Terry Lynn Hamilton, Appellant  
S067959 Respondent's petition for review DENIED.

4th Dist. Philip Morris Companies et al., Petitioners  
G022714 v.  
Div. 3 Workers' Compensation Appeals Board et al., Respondents  
S068321 Petition for review DENIED.

4th Dist. Charles Chitat Ng, Petitioner  
G022900 v.  
Div. 3 Orange County Superior Court, Respondent  
S068054 People, Real Party in Interest  
Application for stay and petition for review DENIED.

4th Dist. People, Petitioner  
G023003 v.  
Div. 3 Orange County Superior Court, Respondent  
S068702 Charles Chitat Ng, Real Party in Interest  
Petition for review DENIED.

4th Dist. People, Petitioner  
G023004 v.  
Div. 3 Orange County Superior Court, Respondent  
S068695 Charles Chitat Ng, Real Party in Interest  
Petition for review DENIED.

5th Dist. People, Respondent  
F025279 v.  
S067878 Stephen Fegan, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F025539 v.  
S067939 Fernando R. Martinez, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F026460 v.  
S068590 Israel Mendoza, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F026792 v.  
S068604 Brian Phillip Buchanan Jr., Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F026844 v.  
S068516 John H. King, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F026913 v.  
S068373 Darnell Hart, Appellant  
Appellant's petition for review DENIED.



5th Dist. People, Respondent  
F027122 v.  
S068302 Oscar Valdez Bences, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027232 v.  
S068379 Jose Louis Vargas, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027398 v.  
S068490 Jernell Beasley, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027419 v.  
S068387 Arthur Lee Smith, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027531 v.  
S068573 Francisco Villalobos, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027639 v.  
S068535 Frank Jaramillo, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027677 v.  
S068486 Martin Juarez, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027720 V.  
S068511 Billy Dalton Kindle, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027751 v.  
S068293 Geraldine Quinton, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027810 v.  
S068357 Bernard Beard, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F027887 v.  
S068306 Edward Carter, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F028314 v.  
S068466 Francisco Garcia Hernandez, Appellant  
Appellant's petition for review DENIED.

5th Dist. People, Respondent  
F030193 v.  
S068528 Jerome F. Valenta, Appellant  
Appellant's petition for review DENIED.

6th Dist. Mathew Presley, a Minor, etc., Appellant  
H015774 v.  
S068560 Kaiser Permanente Hospitals et al., Respondents  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016125 v.  
S068453 Victor Manuel Hernandez, Appellant  
Appellant's petition for review DENIED.

6th Dist. People, Respondent  
H016431 v.  
S068371 Martin Montoya Munoz, Appellant  
Petition for review DENIED.

- 6th Dist. People, Respondent  
H016758 v.  
S068434 Jonathan Price, Appellant  
Appellant's petition for review DENIED.
- 6th Dist. In re Lexes M, a Person Coming Under the Juvenile Court Law  
H017026 -----  
S068471 Santa Clara Co. Dept. of Family & Children's Service, Respondent  
v.  
Robert M., Appellant  
Petition for review DENIED.
- 6th Dist. San Jose Sharks, Petitioner  
H017525 v.  
S068287 Workers' Compensation Appeals Board, Respondent  
Brian Hayward, Respondent  
Petition for review and request for attorneys fees DENIED.
- 6th Dist. Allan B. Phillips, Petitioner  
H017943 v.  
S067923 Santa Clara County Superior Court, Respondent  
Jack Catch, Real Party in Interest  
Petition for review DENIED.
- 6th Dist. Sidney Sogolow, M.D., Petitioner  
H018237 v.  
S069070 Santa Clara County Superior Court, Respondent  
Arthur Anchondo et al., Real Parties in Interest  
Application for stay and petition for review DENIED.
- 3rd Dist. Endangered Habitats League, Inc. et al., Appellants  
C023259 v.  
S068055 State Water Resources Control Board et al., Respondents  
Riverside County Flood District et al., Real Parties in Interest  
The Reporter of Decisions is directed to publish the opinion in  
the above-entitled case in the Official Reports. (See rule 976(d) and  
rule 978(c), California Rules of Court.)

- 4th Dist. Tilden-Coil Construction, Inc., Appellant  
E019286 v.  
Div. 2 City of Cathedral City, Respondent  
S067361 The Reporter of Decisions is directed not to publish in the  
Official Appellate Reports the opinion in the above-entitled appeal,  
filed November 20, 1997, which appears at 59 Cal.App.4th 404.  
(Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 1st Dist. Carolyn C. Anderson et al., Appellants  
A077902 v.  
Div. 2 Trustees of the California State University, Respondent  
S068540 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 2nd Dist. Michael J. Roberts, Respondent  
B103139 v.  
Div. 7 City of Los Angeles Municipal Corporation et al., Appellants  
S068546 The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 2nd Dist. William Daley, Respondent  
B109865 v.  
Div. 7 California Public Employees' Retirement System, Appellant  
S068105 City of Beverly Hills, Real Party in Interest  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 2nd Dist. County of Los Angeles, Appellant  
B111796 v.  
Div. 4 Civil Service Commission of County of Los Angeles, Respondent  
S068403 Craig Calzada, Real Party in Interest  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 2nd Dist. Curtis Jackson, Appellant  
B111992 v.  
Div. 1 Apt Medical Transportation Company Incorporated et al.,  
S068391 Respondents  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.

- 2nd Dist. In re Sabrina N., a Person Coming Under the Juvenile Court Law  
B115912 -----  
Div. 5 Mark N., Petitioner  
S067894 v.  
Los Angeles County Superior Court, Respondent  
The request for an order directing depublication of the opinion in  
the above entitled cause is DENIED.
- 4th Dist. In re David Douglas M., a Person Coming Under  
E020512 the Juvenile Court Law  
Div. 2 -----  
S067583 Department of Public Social Services et al., Respondents  
v.  
David Douglas M., Appellant  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 5th Dist. County of Fresno, Appellant  
F026703 v.  
S068477 Ali Shabazz, Respondent  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- 6th Dist. Alum Rock Union School District et al., Appellants  
H014778 v.  
S067765 City of Los Angeles et al., Respondents  
The request for an order directing publication of the opinion in  
the above entitled cause is DENIED.
- S015381 People, Respondent  
v.  
Tracey Lavelle Carter, Appellant  
On application of appellant and good cause appearing, it is  
ordered that the time to serve and file appellant's opening brief is  
extended to and including June 15, 1998.

S022481 People, Respondent

v.

Martin Anthony Navarette, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including May 20, 1998.

S028747 People, Respondent

v.

Rodney Jesse San Nicolas, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 15, 1998.

S050142 In re Larry Douglas Lucas

on

Habeas Corpus

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's traverse to return to the order to show cause is granted to and including July 1, 1998.

S004719 People, Respondent

Crim. v.

25577 Curtis F. Price, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for appellant, filed February 26, 1998, is granted.

The order appointing Mark E. Cutler as counsel of record for appellant Curtis F. Price, is hereby vacated.

Karen S. Sorensen and Robert L. McGlasson are hereby appointed as attorneys of record for appellant Curtis F. Price, the former as lead counsel and the latter as associate counsel appearing *pro hac vice*. Counsel are appointed for purposes of all appropriate post-conviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S062180 People, Respondent

v.

Jimmy Palma et al., Appellants

Respondent's motion to abate the appeal of Jimmy Palma, filed on March 27, 1998, is granted. As indicated in a certified copy of a certificate of death, appellant Jimmy Palma died in San Quentin State Prison on October 13, 1997. All proceedings as to Jimmy Palma in *People v. Palma and Valdez*, S062180, are permanently abated, and the Superior Court for the County of Los Angeles is directed to enter an order to that effect in case no. BA108995. (*People v Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal. App.2d 458, 466.)

S063987 People, Respondent

v.

David Deloza, Appellant

Upon request of appellant for appointment of counsel, Carol K. Lysaght, is hereby appointed to represent appellant on his appeal now pending in this court.

S067104 People, Respondent

v.

Cruz Alberto Mendoza et al., Appellants

Upon request of appellant Cruz Alberto Mendoza for appointment of counsel, William Farber is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S067104 People, Respondent

v.

Cruz Alberto Mendoza et al., Appellants

Upon request of appellant Raul Valle for appointment of counsel, David McNeil Morse is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant's brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S067249      In re Robert Raphael Catalano on Discipline

The above entitled matter is remanded to the State Bar Court with directions to consider an application for relief from default to obtain review in the Review Department if such an application is filed with the State Bar Court within fifteen days of the date of this order.

S067417      In re **James J. Brown III** on Discipline

It is ordered that **James J. Brown III** be suspended from the practice of law for five years, that execution of said suspension be stayed, and that he be placed on probation for five years on conditions including his actual suspension for one year and until he makes restitution to Luther Miller in the amount of \$4,641, plus 10% per annum interest from October 27, 1997, to Katherine McCall in the amount of \$3,523, plus 10% per annum interest from January 13, 1997, to H. Vincent Schaub, Jr., in the amount of \$3,000, plus 10% per annum interest from February 10, 1997 and to Gary Gottlieb in the amount of \$2,500, plus 10% per annum interest from August 1, 1996, or to the Client Security Fund if appropriate, and furnishes satisfactory proof thereof to the Probation Unit. If his actual suspension should continue for two years or longer, he is to remain actually suspended until he has satisfactorily shown his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct. Credit against the period of actual suspension shall be given for the period of interim suspension which commenced on August 27, 1997. He is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed December 1, 1997. It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs payable in accordance with Business and Professions Code section 6140.7 are awarded to the State Bar pursuant to Business and Professions Code section 6086.10.

\*(See Business & Professions Code, § 6126, subd. (c).)



S067840 In re **Seth Jordan Kelsey** on Discipline

It is ordered that **Seth Jordan Kelsey** be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension for 120 days, recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed December 4, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination, and provide the State Bar Probation Unit with satisfactory proof of his passage of said examination, within one year after the effective date of this order or during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

S067850 In re **John Mahlon Kemp** on Discipline

It is ordered that **John Mahlon Kemp** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including actual suspension for 90 days, recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed November 26, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

S067848 In re **Deloris A. Brown** on Discipline

It is ordered that **Deloris A. Brown** be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years subject to the conditions of probation, including 60 days actual suspension, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed December 16, 1997. It is also ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that she comply with rule 955, California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 payable in accordance with section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

S067851 In re **Dale C. Miller** on Discipline

It is ordered that **Dale C. Miller** be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including actual suspension for six months, recommended by the Hearing Department of the State Bar Court in its order regarding the stipulation filed December 8, 1997. It is also ordered that he take and pass the Multistate Professional Responsibility Examination, and provide the State Bar Probation Unit with satisfactory proof that he has passed that examination, within one year after the effective date of this order or during the period of actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and are payable in accordance with Business and Professions Code section 6140.7 (as amended effective January 1, 1997).

\*(See Business & Professions Code, § 6126, subd. (c).)

